

United States District Court
for
District of New Jersey
Amended Petition for Violation of Supervised Release
(submitted April 24, 2012)

Name of Offender: HUTCHINSON, Anderson

Docket Number: 05-00647-001
PACTS Number: 44914

Name of Sentencing Judicial Officer: Honorable Jose L. Linares, U.S.D.J.

Date of Original Sentence: 09/27/2007

Original Offense: Possession of a Firearm by a Convicted Felon

Original Sentence: 71 months imprisonment; three (3) years supervised release; \$100 special assessment; \$1,500 fine. Special conditions: 1) drug urinalysis/treatment; 2) financial disclosure; 3) no new debt; 4) DNA collection; and 5) no street gang association.

Type of Supervision: Supervised Release

Date Supervision Commenced: 05/17/2011

Assistant U.S. Attorney: Joseph Mack, 970 Broad Street, Room 502, Newark, New Jersey 07102 (973) 645-2700

Defense Attorney: Lisa Mack (AFPD), 1002 Broad Street, Newark, New Jersey 07102 (973) 645-6347

PETITIONING THE COURT

[X] To docket Amended Probation Form 12-C, replacing the Probation Form 12-C dated February 17, 2012.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	The offender has violated the mandatory supervision condition which states 'You shall not commit another federal, state, or local crime.'
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On May 31, 2011, near South 20th Street and Clinton Avenue, Newark Police issued Hutchinson a citation for a local ordinance violation. Reportedly, he obstructed a public passage by making it impassable.

On June 15, 2011, within Newark Municipal Court, he was convicted of obstruction and assessed a fine.

2

The offender has violated the mandatory supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On September 27, 2011, at 12:45am, the offender and co-defendants were arrested by New Jersey State Police. According to investigative reports, officers reported to the area of South 20th Street and Clinton Avenue in Newark to conduct a narcotics investigation. A confidential informant (CI) reported illegal narcotic activity in front of 944 South 20th Street and within apartment #'s 4 and 6 on the building's first floor. The CI provided a physical description of an involved participant.

Police established surveillance in an unmarked vehicle with a clear view of the apartment building's front gate. Hutchinson, matching the CI's description, was observed standing/loitering in front of the building. Police exited their vehicle to further investigate, but Hutchinson noticed their presence and fled on foot towards the front door of the building. He ignored officer's instruction to stop. During pursuit, he was observed holding a small plastic bag that police identified as being consistent with crack cocaine. Hutchinson entered Apartment # 6 and slammed the door behind him. He locked the door. While police banged on the door and stated their presence, commotion was heard within the apartment. They heard objects moving and the toilet flushing. Police eventually gained access with force.

Upon entering the apartment, a female co-defendant, identified as Adara Hinton, was standing in the hallway. Hutchinson was in a bedroom and placed under arrest. Co-conspirators, Nakeeyah Davis and Hakeem Yarrell, were seated in the living room. Bags used to package crack cocaine were observed on the entryway floor. In the kitchen was a plate with cutting agents commonly used to package narcotics. A razor blade was observed in the bathroom on the rim of the toilet with particles of a white crystalline substance (consistent with crack cocaine) evident. It appeared someone destroyed or attempted to destroy evidence of drugs. A search of Hinton's room uncovered two (2) small zip-lock bags containing crack cocaine within a dresser drawer. Hinton claimed ownership of this substance and advised it was for her personal use.

Hinton was placed under arrest. Davis and Yarrell were not charged. Hutchinson was charged with obstruction, issued a complaint, and released on his own recognizance. The case (S-2011-18994-0714) is pending disposition within Newark Municipal Court.

- 3 The offender has violated the mandatory supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On January 5, 2012, at 11:40pm, at 944 South 20th Street, Hutchinson was arrested by Newark Police Department. He was charged with multiple drug offenses. According to investigative reports, the offender was in possession of six (6) blue-tinted zip lock baggies of cocaine, four (4) glassine envelopes of heroin, and \$468.

He was released on bail and the case (W-2012-557-0714, W-2012-558-0714, W-2012-559-0714, and W-2012-560-0714) is pending disposition within Newark Municipal Court.

- 4 The offender has violated the mandatory supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On February 8, 2012, at 1:42am, at the intersection of Grove Street and Lyons Avenue, the offender was arrested by Irvington Police Department. He was charged with multiple drug offenses. According to investigative reports, subsequent to a motor vehicle traffic stop, Hutchinson was found to be in possession of 33 baggies of cocaine and \$237.

He was released on bail and the case (W-2012-237-0709) is pending disposition within New Jersey Superior Court, Essex County.

- 5 The offender has violated the standard supervision condition which states '**You shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the Probation Officer.**'

Regarding the September 27, 2011 arrest detailed within Violation #2, co-conspirator, Hakeem Yarrell (FBI # 511707TB3 / SBI # 673800C), is a four-time convicted felon. Such association was never permitted by the Probation Office.

- 6 The offender has violated the standard supervision condition which states '**You shall notify the Probation Officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

Since October 2011, within Newark and Irvington, Hutchinson was pulled over by police on at least three (3) separate occasions. He was issued an assortment of motor vehicle summonses for infractions including: driving without a valid driver's license, open container of alcohol in a motor vehicle, use of hand-held wireless telephone, and driving while revoked. In each occasion, he failed to notify the Probation Office accordingly.

Likewise, the offender failed to notify the undersigned Probation Officer about the arrests detailed in Violation #'s 2, 3, and 4 within the allotted time period.

7 The offender has violated the supervision condition which states 'You shall report to the Probation Officer as directed by the Court or Probation Officer, and shall submit a truthful and complete written report within the first five days of each month.'

The offender failed to report to the probation office as directed on August 3, 2011. In addition, he failed to submit a monthly written report within the allotted time period for the following months: July 2011, August 2011, October 2011, and January 2012.

8 The offender has violated the mandatory supervision condition which states 'You shall not commit another federal, state, or local crime.'

On or about April 13, 2012, near the intersection of South 20th Street and Clinton Avenue in Newark, Hutchinson was arrested by New Jersey State Police. He was charged with multiple drug distribution offenses.

I declare under penalty of perjury that the foregoing is true and correct.

By: Joseph Empirio, U.S.P.O.

Joseph Empirio Joseph Empirio
2012.04.24
11:22:44 -04'00'

Date: 04/24/2012

C. P. D'Amico Carol Ann Azzarello
2012.04.25 09:37:10
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THE COURT ORDERS:

- ☒ Docket an Amended Probation Form 12-C, replacing Probation Form 12-C dated February 17, 2012.
☐ No Action
☐ Other

[Signature]

Signature of Judicial Officer

4-26-12

Date